

**COMMONWEALTH OF MASSACHUSETTS**  
**BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING**  
**MINUTES OF THE FEBRUARY 7, 2017 BOARD MEETING**

**TIME:** 9:30 a.m.

**PLACE:** 1000 Washington Street  
Room 1 D  
Boston, MA 02118

**PRESENT:** Susan Viens (Chair), Joy Talbot (Vice-Chair), Michael Gayzagian (Secretary),  
Marian Saluto, Catherine Tool, Jesus Nunez, Janice Dorian, Nan Pham

**STAFF:** Brian Bialas, Executive Director  
Lynn Read, Board Counsel

The meeting was called to order at 9:30 AM by Ms. Viens (Chair)

A MOTION was made by Ms. Dorian and seconded by Ms. Talbot to enter into executive session for the purpose of discussing character rather than competence, after which the open meeting will resume. The Chair called for a roll call vote:

Ms. Dorian (Yes); Ms. Tool (Yes); Mr. Gayzagian (Yes); Ms. Talbot (Yes); Ms. Viens (Yes);  
Ms. Saluto (Yes)

The MOTION passed 6-0

Mr. Nunez arrived at 9:37 a.m.

Ms. Pham arrived at 9:45 a.m.

**Open Session resumed at 10:20 a.m.** Ms. Dorian and Ms. Pham left the room.

**Housekeeping:**

Ms. Viens explained the emergency exit procedures.

**Read and Accept the Minutes from the January 10, 2017 Open Meeting.**

A MOTION was made by Ms. Talbot and seconded by Mr. Gayzagian to accept the January 10, 2017 Minutes as written.

The MOTION passed 6-0.

### **Executive Director Report**

Mr. Bialas told the Board that Pearson Vue will make the changes to the cosmetology practical exam that were suggested by the Board. Ms. Dorian and Ms. Pham returned to the room. Members asked questions regarding books and expressed concerns about costs to the schools.

### **Board Counsel Report**

Ms. Read told the Board that the administration has commented on the Board's proposed regulations on reciprocal licensing, and there is a concern about increasing requirements on out-of-state and out-of-country barbers. Members asked questions and expressed concerns about requirements for out-of-country applicants. Ms. Read will bring a new draft of proposed regulations regarding out-of-state and out-of-country applicants to the next meeting of the Board.

### **Hair in Motion Cosmetology Academy**

After discussion and comments on the draft enrollment agreement and school brochure of Hair in Motion Cosmetology Academy, a MOTION was made by Mr. Gayzagian and seconded by Ms. Pham to table the issue.

The MOTION passed 8-0

### **Prohibited Practices Policy**

Ms. Read reported that she continues to work on reorganizing this policy in a draft for the Board to consider.

### **Intense Pulsed Light Policy and Photofacials**

Ms. Read discussed how the Board's statute applies to photofacials that use Intense Pulsed Light technology. Ms. Tool discussed insurance coverage for this service.

No action was taken.

### **CORI Policy and Opening Salons**

Members discussed the issue of applicants who state falsely that they have no criminal convictions. Ms. Dorian expressed concern that cosmetologists have stricter standards than barbers. Mr. Bialas proposed that the Board implement the new CORI policy but omit the parts about mobile cosmetology and barbing, reserving them until after the regulations have been amended.

A MOTION was made by Ms. Dorian and seconded by Mr. Nunez to implement the new CORI policy without the parts about mobile cosmetology and barbing.

The MOTION passed 8-0.

### **Public Comment**

Anthony Clemente commented in favor of having similar reciprocity licensing requirements for cosmetology and barbering and reviewing the process for approving applications from new barber or cosmetology schools. Marie O'Connell asked the Board to address reciprocity for electrologists also.

### **Quasi Judicial Session [ CLOSED per M.G.L. c. 30A, § 18].**

A MOTION was made by Ms. Talbot and seconded by Mr. Gayzagian to exit public session and enter quasi-judicial session pursuant to G.L. c. 30A §18(d) to make decisions required in adjudicatory proceedings brought before the Board. The Chair announced that the open meeting would not resume except to adjourn the meeting.

The MOTION passed 8-0.

During the closed quasi-judicial session, the Board voted to take the following actions:

- BR-16-075: Board determined sanction for Final Decision

### **Cases, Investigative Conferences [Closed Session Pursuant to G.L. c. 112, § 65C]:**

A MOTION was made by Ms. Tool, seconded by Mr. Gayzagian, to exit quasi-judicial session and enter into investigative conference to conduct investigative conferences pursuant to G.L. c. 112, § 65C.

The MOTION passed 7-0 (Mr. Nunez was not in the room). The Board then exited quasi-judicial session and entered investigative conference. During the closed session, the Board voted to take the following actions:

#### **Review of Cases and Staff Assignments:**

2016-0122 BR 046-IT-ENF	Dismiss
2016-000968-IT-ENF	Open Complaint
2016-001045-IT-ENF	Refer to Prosecution
2016-0713 HS 001-IT-ENF	Refer to Prosecution
2016-0817 HD 030-IT-ENF	Dismiss
2016-0802 HS 021-IT-ENF	Refer to Prosecution
2016-000581-IT-ENF	Dismiss
2016-001003-IT-ENF	Refer to Prosecution
2016-00577-IT-ENF	Refer to Prosecution
2016-000574-IT-ENF	Refer to Prosecution
2016-200743-FI-ENF	Refer to Prosecution
2016-200735-FI-ENF	Refer to Prosecution
2016-000761-IT-ENF	Refer to Prosecution
2016-0817-HD-028-IT-ENF	Dismiss
2016-000720-IT-ENF	Refer to Prosecution

2016-000718-IT-ENF  
2015-0925-BR-010  
2016-001000-IT-ENF

Refer to Prosecution  
Refer for Further Investigation  
Dismiss

**Adjournment**

The meeting was adjourned at approximately 2:30 p.m.

**Documents Used During the Meeting:**

Agenda

Draft Minutes of January 10, 2017 Open Meeting

Hair in Motion Cosmetology Academy Enrollment Agreement, Brochure, Curriculum, and  
Checklists

Draft Prohibited Practices Policy

The above Minutes were approved at the open meeting held on April 4, 2017.



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Brian Bialas, Executive Director